

Posted: November 27, 2019
Donna Nickerson
4:30 P.M.

BEFORE THE PUBLIC SERVICE COMMISSION

AGENDA

December 5, 2019

***THIS MEETING WILL NOT BE CONDUCTED BY VIDEOCONFERENCE.
THIS MEETING WILL BE VIDEO STREAMED LIVE AT 1:00 P.M.***

I. Call Meeting to Order – 1:00 P.M., Dover

II. READING OF THE MEETING MINUTES:

1. November 5, 2019 – Public
2. November 5, 2019 – Executive
3. November 14, 2019 – Public
4. November 14, 2019 - Executive

III. CONSENT AGENDA:

1. IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* § 203C (“COASTAL1.02, FENWICK15.00, GEORGETOWN32.01, GEORGETOWN70.00, PEPPER10.02”) (FILED OCTOBER 10, 2019) - PSC DOCKET NO. 19-0694

Commission to consider:

(a) Application (PREVIOUSLY SENT TO COMMISSIONERS)

(b) Staff Memorandum

(c) Proposed Order No. 9505 which would grant Artesian Water Company, Inc.’s request for a Certificate of Public Convenience and Necessity to provide water services to five parcels of land located in Sussex County, Delaware.

IV. REGULAR AGENDA:

1. IN THE MATTER OF THE RULES FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES (REG. DKT 10 OPENED MAY 1, 1984; REG DKT 45 OPENED NOVEMBER 21 1995; JOINTLY REOPENED NOVEMBER 17, 1998; JULY 24, 2001; AUGUST 9, 2005; NOVEMBER 5, 2013; MAY 13, 2014; AUGUST 19, 2014 AND DECEMBER 5, 2019) - PSC REGULATION DOCKET 10 AND 45

IN THE MATTER OF THE REGULATIONS FOR THE IMPLEMENTATION OF THE TELECOMMUNICATIONS TECHNOLOGY INVESTMENT ACT (OPENED

JULY 20, 1993; REOPENED DECEMBER 5 2019) – PSC REGULATION DOCKET NO. 41

Commission to consider:

- (a) [Proposed Order No. 9506](#) reopening its telecommunications regulation dockets to revise the rules to comply with changes to state law.

2. IN THE MATTER OF PROVISION OF STANDARD OFFER SUPPLY TO RETAIL CONSUMERS IN THE SERVICE TERRITORY OF DELMARVA POWER & LIGHT COMPANY (FILED AUGUST 16, 2019) – PSC DOCKET NO. 19-0520

Commission to consider:

- (a) Successful bids for Tranche 1 in the procurement of wholesale electric supply to meet the Standard Offer Service load of Delmarva Power & Light after June 1, 2020. The following items will be available at the meeting:
 - (i) Public Presentation to the Commission by Liberty Consulting
 - (ii) Confidential presentation to the Commission by Liberty Consulting.

***NOTE: The Commission may convene in Executive Session under 29 Del. C. §10004(b)(6) for the purpose of discussing trade secrets and commercial or financial information of a privileged or confidential nature related to Standard Offer Supply procurement of wholesale electric supply. This information is not a matter of public record as defined in 29 Del. C. §10002 (1) (2)**

3. IN THE MATTER OF THE ADOPTION OF RULES AND PROCEDURES TO IMPLEMENT THE RENEWABLE ENERGY PORTFOLIO STANDARDS ACT, 26 DEL. C. §§ 351-363, AS APPLIED TO RETAIL ELECTRICITY SUPPLIERS (OPENED AUGUST 23, 2005; REOPENED SEPTEMBER 4, 2007; AUGUST 5, 2008; SEPTEMBER 22, 2009; AUGUST 17, 2010; SEPTEMBER 6, 2011, SEPTEMBER 18, 2012) – PSC REGULATION DOCKET NO. 56

Commission to consider:

- (a) Action regarding DNREC's apparent violation of 26 Del. Admin. C. § 3008-3.2.21.5.
- (b) Comments:
 - (i) [Gary Myers](#)
 - (ii) [David Stevenson – Caesar Rodney Institute](#)

***NOTE: The Commission may convene in Executive Session under 29 Del. C. §10004(b) (4) for the purposes of discussing legal strategy or receiving legal advice/update of a privileged or confidential nature. This information is not a matter of public record as defined in 29 Del. C. §10002 (1) (2)**

V. HEARING SCHEDULE:

VI. PUBLIC COMMENT:

VII. DIRECTOR'S COMMENTS:

- (a) [Revised Commission meeting calendar for 2020](#)
- (b) Evidentiary Hearing, PSC Docket No. 17-0977, DP&L, Cost Allocation, December 9, 2019, 10:00 A.M., Public Service Commission, 861 Silver Lake Blvd., Dover, DE.
- (c) Next Commission Meeting – December 12, 2019
- (d) Other Comments

NOTICE

Pursuant to 29 *Del. C.* §10004(e) (2), this Agenda may be changed to include additional items including executive sessions or to delete items that arise at the time of the Commission meeting.

Commission Staff or other parties may provide the Commission with Proposed Orders to help expedite the administrative process; however, the Commission will consider each Agenda item independently, determine any appropriate actions and may approve, revise or reject any Proposed Orders consistent with the Commission's determination.

During the Meeting, an executive session closed to the public may be called for certain purposes, including, but not limited to, strategy sessions to discuss pending or potential litigation, discussions of confidential documents, and certain personnel matters.

Items marked with an "***" were added following the initial Agenda posting. An explanation for their addition to the Agenda is included following the description of the particular item.

Interested persons should contact the Commission at 1-800-282-8574 (within Delaware) for information or questions about the Agenda. The Agenda may also be viewed, after posting, at the Commission's Internet website found at depssc.delaware.gov.